

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 306

Introduced by Stuthman, 22

Read first time January 11, 2007

Committee: Judiciary

A BILL

1 FOR AN ACT relating to child support; to amend section 42-364.13,
2 Revised Statutes Cumulative Supplement, 2006; to provide
3 for the protection of social security numbers as
4 prescribed; and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 42-364.13, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 42-364.13 (1) Any order for support entered by the
4 court shall specifically provide that any person ordered to pay a
5 judgment shall be required to furnish to the clerk of the district
6 court his or her address, telephone number, and social security
7 number, subject to the restrictions of this subsection, the name
8 of his or her employer, whether or not such person has access to
9 employer-related health insurance coverage and, if so, the health
10 insurance policy information, and any other information the court
11 deems relevant until such judgment is paid in full. The clerk
12 shall have access to such person's social security number, but
13 the order shall contain only the last four digits of the social
14 security number. The first five digits shall be represented by
15 asterisks. The person shall also be required to advise the clerk of
16 any changes in such information between the time of entry of the
17 decree and the payment of the judgment in full. If both parents
18 are parties to the action, such order shall provide that each be
19 required to furnish to the clerk of the district court all of the
20 information required by this subsection. Failure to comply with
21 this section shall be punishable by contempt.

22 (2) All support orders entered by the court shall include
23 the birthdate of any child for whom the order requires the
24 provision of support.

25 (3) Until the Title IV-D Division has operative the

1 statewide automated data processing and retrieval system necessary
2 for centralized collection and disbursement of support order
3 payments:

4 (a) If any case contains an order or judgment for child,
5 medical, or spousal support, the order shall include the following
6 statements:

7 In the event that the (plaintiff or defendant) fails to
8 pay any child, medical, or spousal support payment, as such failure
9 is certified each month by the district court clerk in cases in
10 which court-ordered support is delinquent in an amount equal to
11 the support due and payable for a one-month period of time, he
12 or she shall be subject to income withholding and may be required
13 to appear in court on a date to be determined by the court and
14 show cause why such payment was not made. In the event that the
15 (plaintiff or defendant) fails to pay and appear as ordered, a
16 warrant shall be issued for his or her arrest.

17 (b) If the court orders income withholding regardless
18 of whether or not payments are in arrears pursuant to section
19 43-1718.01 or 43-1718.02, the statement in this subsection may be
20 altered to read as follows:

21 In the event that the (plaintiff or defendant) fails to
22 pay any child, medical, or spousal support payment, as such failure
23 is certified each month by the district court clerk in cases in
24 which court-ordered support is delinquent in an amount equal to the
25 support due and payable for a one-month period of time, he or she

1 may be required to appear in court on a date to be determined by
2 the court and show cause why such payment was not made. In the
3 event that the (plaintiff or defendant) fails to pay and appear as
4 ordered, a warrant shall be issued for his or her arrest.

5 (4) When the Title IV-D Division has operative the
6 statewide automated data processing and retrieval system necessary
7 for centralized collection and disbursement of support order
8 payments:

9 (a) If any case contains an order or judgment for child,
10 medical, or spousal support, the order shall include the following
11 statements:

12 In the event that the (plaintiff or defendant) fails to
13 pay any child, medical, or spousal support payment, as such failure
14 is certified each month by the State Disbursement Unit in cases
15 in which court-ordered support is delinquent in an amount equal
16 to the support due and payable for a one-month period of time, he
17 or she shall be subject to income withholding and may be required
18 to appear in court on a date to be determined by the court and
19 show cause why such payment was not made. In the event that the
20 (plaintiff or defendant) fails to pay and appear as ordered, a
21 warrant shall be issued for his or her arrest.

22 (b) If the court orders income withholding regardless
23 of whether or not payments are in arrears pursuant to section
24 43-1718.01 or 43-1718.02, the statement in this subsection may be
25 altered to read as follows:

1 In the event that the (plaintiff or defendant) fails to
2 pay any child, medical, or spousal support payment, as such failure
3 is certified each month by the State Disbursement Unit in cases
4 in which court-ordered support is delinquent in an amount equal to
5 the support due and payable for a one-month period of time, he or
6 she may be required to appear in court on a date to be determined
7 by the court and show cause why such payment was not made. In the
8 event that the (plaintiff or defendant) fails to pay and appear as
9 ordered, a warrant shall be issued for his or her arrest.

10 Sec. 2. Original section 42-364.13, Revised Statutes
11 Cumulative Supplement, 2006, is repealed.